



# PROCUREMENT

## EMERGENCY PURCHASE JUSTIFICATION Purchases Above \$10,000


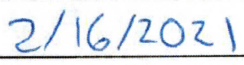
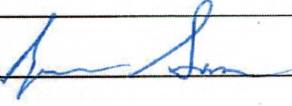
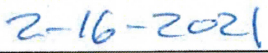
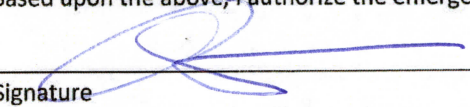
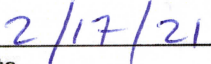
<p><b>An emergency purchase is defined as:</b>  A purchase in response to unforeseen circumstances, beyond the control of the City of Everett which</p> <p>A. presents a real, immediate threat to the proper performance of essential functions or</p> <p>B. will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.</p> <p><b>All emergency purchases shall follow the City of Everett Standard Procurement Policy &amp; Federal Emergency Contracting Policy Section 9.6.</b></p>	
<p><b>I REQUEST THAT THE REFERENCED PURCHASE BE DECLARED AN EMERGENCY PURCHASE.</b></p>	
<p><b>Emergency Date:</b> 2/16/2021</p>	<p><b>Emergency Time:</b> All Day</p>
<p><b>Location of Emergency:</b> Force Main Repair Located at 26<sup>th</sup> and Grand Avenue</p>	
<p><b>Proposed supplier name and address:</b> Core &amp; Main, Rain for Rent, Romac Industries</p>	<p><b>Estimated cost of goods or services:</b> \$50,000</p>
<p><b>This is an emergency purchase because (Check all that apply):</b></p> <p><input type="checkbox"/> Unforeseen circumstances beyond the control of City of Everett.</p> <p><input checked="" type="checkbox"/> Represents a real, immediate threat to the proper performance of essential functions.</p> <p><input type="checkbox"/> Delay of award will likely result in loss or damage to property, bodily injury, or loss of life if immediate action is not taken.</p> <p><input type="checkbox"/> Other - _____</p>	
<p><b>Describe the emergency.</b></p>	<p>A leak has developed in the 22" force main at 26<sup>th</sup> street and Grand Avenue. There is an existing coupling at that intersection that appears to be the source of the leak however it is encased in concrete. City crews have excavated around the site and have temporary measures in place to control the leak. In order to repair, materials will need to be ordered including pipe, related fittings and the equipment needed to fuse the pipe together. Additionally, Bypass pumping will need to be setup while the repairs are being made.</p>
<p><b>What caused the emergency situation to arise?</b></p>	<p>Unknown at this time.</p>
<p><b>Describe the response to situation. For example, what did staff and/or supplier do?</b></p>	<p>City crews have responded to the leak and excavated the site to determine repair methods and materials needed. City staff have also planned for the bypass pumping efforts needed in order to facilitate repairs.</p>
<p><b>Explain your process for identifying the selected supplier. For example, provide names of suppliers</b></p>	<p>Suppliers have been selected specifically for the materials and equipment required for the repair. Suppliers include : Core &amp; Main for</p>

contacted, names of individuals who provided quotes, and amounts quoted.	pipe and pipe electrofusion welding, Romac Industries for pipe repair coupling, and Rain for Rent for bypass system.
If selected supplier was not the low bidder, explain why the decision was made to utilize other than low bidder.	Work is needed now to repair critical infrastructure so that we can maintain normal flows of sewage in our system. This is a critical force main in our sewage conveyance system. Core & Main will also be providing a technician who specializes in HDPE pipe electrofusion to ensure a successful repair.
List any other facts supporting the use of a non-competitive process.	

**STATEMENT OF NEED AND CERTIFICATION:**

My department's recommendation for an emergency purchase is based upon an objective review of the situation and appears to be in the best interest of City of Everett. I know of no conflict of interest on my part or personal involvement in any way with this request. No gratuities, favors or compromising action have taken place.

I hereby certify that this justification for an emergency purchase is accurate and complete to the best of my knowledge and belief.

		
Signature (Requestor)		Date
Printed Name: Grant Moen		Title: Maintenance Superintendent
<b>DEPARTMENT DIRECTOR</b>		
		
Signature		Date
Printed Name: RYAN SASS		
<b>MAYOR/DESIGNEE</b>		
Based upon the above, I authorize the emergency purchase of the goods or services specified.		
		
Signature		Date

Note: If additional space is required, use additional sheets of paper and submit with this completed form.

## **9.6 EMERGENCIES**

### **9.6.1 GENERAL**

Emergency procurements are governed by RCW 39.04.280.

Competitive bidding is not required when an emergency exists; however, in making emergency purchases, an effort will be made to include the level of competition that is practical under the circumstances.

An “emergency” means unforeseen circumstances beyond the control of the municipality that either:

- A. Presents a real, immediate threat to the proper performance of essential functions; or
- B. Will likely result in material loss or damage to property, bodily injury, or loss of life if immediate action is not taken.

### **9.6.2 DECLARATION OF EMERGENCY BY CITY COUNCIL**

- A. If an emergency exists, and time permits, a resolution will be sought from Council that will: (a) contain a written finding of the existence of the emergency, (b) declare an emergency situation exists; (c) waive competitive requirements; and (d) authorize the award, on behalf of the City, of all contracts necessary to address the emergency situation, including but not limited to, public works contracts and architectural and engineering services.
- B. Unless otherwise provided by the emergency resolution adopted by City Council, the City staff will provide to City Council written reports of contracts awarded and purchases made under the emergency resolution.

### **9.6.3 DECLARATION OF EMERGENCY BY MAYOR**

- A. If an emergency exists and time does not permit seeking a City Council resolution under 9.6.2 above, the Mayor may declare an emergency situation to exist, waive competitive requirements, and award contracts on behalf of the City to address the emergency situation. Employees are encouraged to use the Emergency Justification Form to request the Mayor’s declaration.
- B. If a contract is awarded by the Mayor without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the Mayor, and that finding must be posted on the City’s website and reported to City Council no later than two weeks following the award of the contract.

### **9.6.4 DECLARATION OF EMERGENCY BY DEPARTMENT DIRECTOR OF DESIGNEE**

- A. If an emergency exists and time does not permit seeking a City Council resolution under 9.6.2 above or a Mayoral Declaration under 9.6.3 above, the Department Director or designee may declare an emergency situation to exist, waive competitive requirements, and award contracts on behalf of the City to address the emergency situation.
- B. As soon as possible after the declaration of emergency, department director will submit the Emergency Ratification Form to Administration, reciting the facts that constituted the emergency, enumerating the purchases and their costs, and requesting that the waiver of competitive bid requirements be ratified.
- C. If a contract is awarded under this section 9.6.4 without competitive bidding due to an emergency, a written finding of the existence of an emergency must be made by the department director, and that finding must be posted on the City’s website and reported to City Council no later than two weeks following the award of the contract.